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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,990	06/26/2003	Mi-Sook Nam	053785-5120	3882
9629	7590	11/18/2004	EXAMINER	
MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004				WANG, GEORGE Y
ART UNIT		PAPER NUMBER		
		2871		

DATE MAILED: 11/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/603,990	NAM ET AL.	
Examiner	Art Unit		
George Y. Wang	2871		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 02 September 2004.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-20 is/are pending in the application.  
4a) Of the above claim(s) 10,11,19 and 20 is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-9 and 12-18 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 26 June 2003 is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date .  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election with traverse of Claims 1-9 and 12-18 in the reply filed on September 2, 2004 is acknowledged. The traversal is on the ground(s) that the subject matter of the remaining species is sufficiently related, not an unreasonable number, and can be examined without serious burden. This is not found persuasive because examination of the remaining species will be a serious burden since there are elements in the claims that are not required for the search of the elected species. These elements include specificity of gate line location, a pixel electrode, a common electrode, and cell gap specificity.

The requirement is still deemed proper and is therefore made FINAL.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-8 and 12-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto et al. (U.S. Patent No. 6,281,952, hereinafter "Okamoto") in view of Zhang et al. (U.S. Patent No. 6,396,470, hereinafter "Zhang").

4. Regarding 1-3 and 12-13, Okamoto discloses a transreflective liquid crystal display (LCD) method and device (fig. 4, ref. 200) comprising a substrate (fig. 24, ref. 29) having a reflective portion (fig. 24, ref. 9) and a transmissive portion (fig. 24, ref. 10), a gate line (fig. 23a, ref. 23) on the substrate, a data line (fig. 23a, ref. 24) crossing the gate line and defining a pixel region (fig. 23a, ref. 20), a thin film transistor (TFT) (fig. 23a, ref. 21) connected to the gate line and the data line, a first organic material layer (fig. 24, ref. 25) made of photoacrylic resin (col. 81, lines 34-35) in the pixel region having a plurality of uneven patterns at the reflective portion, a second organic material layer (fig. 24, ref. 25) on the first organic material layer having an open portion at the transmissive portion (col. 81, lines 33-40), and a reflective layer (fig. 24, ref. 19) on the second organic material layer having a transmissive hole at the open portion.

However, the reference fails to specifically disclose a second organic material layer on the first organic material layer having an open portion at the transmissive portion.

Zhang discloses an LCD device having a second organic material layer (fig. 20, ref. 181) on the first organic material layer (fig. 20, ref. 1061c) having an open portion at the transmissive portion.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a second organic material layer on the first organic material layer having an open portion at the transmissive portion since one would be motivated to provide high speed operation (col. 20, lines 53-54) and improve the incidence of light use efficiency (col. 22, lines 38-40). In fact, Okamoto discloses the method of forming the organic layers by means of providing a number of sublayers by a successive steps of pattern irradiating, developing, and curing to form a layer having an open portion at the transmissive portion (col. 81, lines 33-40) to show that Okamoto is not closed to the notion of additional organic layers.

5. As per claims 4-5 and 14-15, Okamoto discloses the LCD device as recited above having a silicon nitride layer (col. 80, lines 51-52) covering the gate line, the data line, and the TFT.

6. As to claims 6-8 and 16-17, Okamoto discloses the LCD device as recited above having a pixel electrode (fig. 24, ref. 20) on the reflective layer, a TFT comprising a gate

electrode (fig. 24, ref. 23), an active layer (col. 80, lines 52-55), and source (fig. 24, ref. 28) and drain (fig. 24, ref. 22) electrodes, and a gate pad connected to the gate line (fig. 24, ref. 26), a data pad connected to the data line (fig. 24, ref. 26), and a capacitor electrode (fig. 24, ref. 27) overlapping the gate line.

7. Claims 9 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okamoto and Zhang in further view of Nishida et al. (U.S. Patent Pub. No. 2002/0159016, hereinafter "Nishida").

Okamoto discloses the LCD device as recited above, however, the reference fails to specifically disclose the second organic material having a drain contact hole exposing the drain electrode, a capacitor contact hole exposing the capacitor electrode, a gate pad contact hole exposing the gate pad, and a data pad contact hole exposing the data pad.

Nishida discloses an LCD device with an organic material layer having a drain contact hole exposing the drain electrode, a capacitor contact hole exposing the capacitor electrode, a gate pad contact hole exposing the gate pad, and a data pad contact hole exposing the data pad (fig. 8, ref. 39b, 39a).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included a drain contact hole exposing the drain electrode, a capacitor contact hole exposing the capacitor electrode, a gate pad contact hole exposing the gate pad, and a data pad contact hole exposing the data pad since one

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would be motivated to prevent the occurrence of vertical cross-talk without reducing the aperture ratio (pg. 2, [0027]).

### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Y. Wang whose telephone number is 571-272-2304. The examiner can normally be reached on M-F, 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert H. Kim can be reached on 571-272-2293. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

gw  
November 12, 2004

A handwritten signature in black ink, appearing to read "George Y. Wang". To the right of the signature, the word "PAPER" is printed in capital letters.